

Linden and in further view of U.S. Patent No. 6,134,592 to Montulli ("Montulli"). Claim 12 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Mann in view of Hockstra and in further view of Montulli. Claims 1–14 are pending. This rejection is respectfully traversed.

In view of the following remarks, the Applicants submit that claims 1–14 are allowable over the cited art, and respectfully request that the Examiner withdraw the pending § 103 rejections.

Mann Is Not a Proper Reference Under 35 U.S.C. § 102(e)

Mann was filed on **September 22, 1999**, and issued on October 2, 2001. The present application, filed on March 16, 2000, claims priority to U.S. Provisional Application No. 60/125,107, filed on **March 19, 1999**. *See*, Application at Page 1, lines 5–8. The priority claim was also noted in the filing papers, dated March 16, 2000, as well as the Declaration and Power of Attorney filed concurrently therewith. Accordingly, because the priority date of the present application is **over 6 months earlier** than Mann's filing date, Mann is not a proper reference under 35 U.S.C. § 102(e).

Moreover, none of the remaining prior art references cited by the Examiner teach or suggest the subject matter disclosed by Mann.

Consequently, claims 1–14 are allowable over the cited art. Accordingly, the Applicants respectfully request that the Examiner reconsider and withdraw the pending § 103 rejection.

CONCLUSION

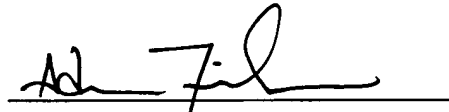
In view of the remarks submitted above, the Applicants respectfully submit that the present case is in condition for allowance. A notice to that effect would be greatly appreciated.

The Examiner is invited to contact the undersigned at (202) 220-4294 to discuss any matter concerning this application.

The Office is authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON

A handwritten signature in black ink, appearing to read 'Adam M. Treiber', is written over a horizontal line.

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